

Senate Bill No. 368

Passed the Senate August 29, 2006

Secretary of the Senate

Passed the Assembly August 23, 2006

Chief Clerk of the Assembly

This bill was received by the Governor this _____ day
of _____, 2006, at _____ o'clock ____M.

Private Secretary of the Governor

CHAPTER _____

An act to add Sections 315.5, 316.5, and 317 to the Education Code, relating to English language education.

LEGISLATIVE COUNSEL'S DIGEST

SB 368, Escutia. English language tutoring.

Proposition 227, an initiative statute approved by the voters at the June 2, 1998, statewide primary election, requires the state to encourage family members and others to provide personal English language tutoring to children coming from backgrounds of limited English proficiency.

This bill would require each school district, as a condition for receiving funding under the bill for the 2007–08 fiscal year, to develop a plan, to be approved by the school district governing board, certifying that the agency will accomplish certain objectives relating to providing personal English language tutoring to children from backgrounds of limited English proficiency.

The bill would require a school district, as a condition for receiving funding under the bill for any fiscal year, to collect certain data for use in revising and updating the plan.

The bill would require the governing board of the school district, as a condition for receiving funding under the bill for the 2008–09 fiscal year and each fiscal year thereafter, to review, revise as necessary, and approve the plan. The bill would require the plan to be reviewed, and revised as necessary, not less than once every three years. The bill would require the governing board to consider, during its review, the specified data collected by the school district.

The people of the State of California do enact as follows:

SECTION 1. Section 315.5 is added to the Education Code, to read:

315.5. (a) In furtherance of its constitutional and legal requirement to offer special language assistance to children coming from backgrounds of limited English proficiency, the

state shall encourage family members and others to provide personal English language tutoring to those children, and support these efforts by raising the general level of English language knowledge in the community.

(b) Programs funded under this section shall be provided through schools or community organizations.

(c) Funding for programs authorized under this section shall be provided pursuant to an appropriation in the annual Budget Act. Funds shall be apportioned to the Superintendent for disbursement to school districts for the purpose of providing funding under this section for free or subsidized programs of adult English language instruction to parents or other members of the community who pledge to provide personal English language tutoring to improve the English language proficiency of California school children with limited English proficiency.

SEC. 2. Section 316.5 is added to the Education Code, to read:

316.5. (a) The Legislature finds and declares all of the following:

(1) The more a parent or guardian is involved in the education of his or her child the better the child will perform in school.

(2) English language proficiency is critical to academic success.

(b) As a condition for receiving funding under Section 315.5 for the 2007–08 fiscal year, each school district shall develop a plan, to be approved by the governing board of the school district, certifying that it will do all of the following:

(1) Emphasize English language acquisition and tutoring skills for parents whose primary language is not English.

(2) Whenever possible, operate Community-Based English Tutoring (CBET) Programs at neighborhood schoolsites in order to provide full articulation between CBET Programs and instructional programs for school-aged English language learners.

(3) Describe in its plan how the program will encourage the following:

(A) Opportunities for parent-child tutoring activities.

(B) Opportunities for the parent to become involved at the school that his or her child attends.

(4) Describe how the program will document the following:

(A) Literacy training for adults that leads to English fluency and the ability to provide educational support for children.

(B) Development of tutoring skills.

(5) Describe the projected goals of the program with respect to participant educational achievement and the manner in which the agency will measure and report progress in meeting its goals.

(6) Describe the manner in which the program will leverage available funding from federal, state, and local sources in the area proposed to be served by the agency.

(7) Include a program to recruit parents of K–12 English language learners, especially parents of pupils enrolled in K–12 schools that are eligible to participate in the High Priority Schools Grant Program established under Article 3.5 (commencing with Section 52055.600) of Chapter 6.1 of Part 28.

(8) The plan shall demonstrate that the CBET Program meets the following objectives in order to ensure that adult students in the CBET Program provide the best possible tutoring to K–12 English language learners:

(A) The adult students participating in the CBET Program shall make measurable English language learning progress.

(B) The CBET Program shall be administered in accordance with research-based strategies for teaching English language learners.

(C) The data collected under Section 317 shall be used by CBET administrators and staff to inform curriculum, instruction, assessment, research, and in-service staff development.

(c) As a condition for receiving funding under Section 315.5 for the 2008–09 fiscal year and for each fiscal year thereafter, the governing board of the school district shall review, revise as necessary, and approve the plan. The plan shall be reviewed, and revised as necessary, not less than once every three years. During its review, the governing board shall consider the data collected under Section 317.

(d) For the purposes of this section, the term “parent” includes a parent, legal guardian, primary caregiver, or an individual in loco parentis.

SEC. 3. Section 317 is added to the Education Code, to read:

317. (a) As a condition for receiving funds under Section 315.5 in any fiscal year, a school district shall collect the

following data for use in updating its plans and to make available to the state as requested:

(1) Improvement in adult English-as-a-second-language literacy skill levels in reading, writing, and speaking the English language, numeracy, problem solving, and other literacy skills.

(2) Improvements in the attendance of pupils with limited-English-language proficiency who have received tutoring from adults who have been identified as participants in programs established pursuant to Sections 315, 315.5, 316, and 316.5.

(b) A school district that receives funding under Section 315.5 shall provide a pretest and a posttest of reading achievement for adult English-as-a-second-language pupils.

(c) The district shall review individual K–12 pupil data from the English language development test administered under Section 60810 and the Standardized Testing and Reporting (STAR) Program set forth in Article 4 (commencing with Section 60640) of Chapter 5 of Part 33, in order to determine whether there have been achievement progress made by K–12 pupils who were tutored by Community-Based English Tutoring (CBET) Program students.

Approved _____, 2006

Governor